FOR MYSORE STATE

Home (1954) Department.

M.S SERIES.

Passed
BB MJ

G.O. NO. 2991

Dated 8 10 1954

[Despatch Abstract.]

Public Service Prosecuting Staff
South Kanara - Sri Narayana
Shetty Sowkur C.P.C. Grade II
temporary appointment regularised
Exempted from age limit and
from undergoing training Rule
relaxed for Gopalakrishna
Regular appointment

G.F 32 11,82,490—24-12-52

Department | Received ——— Registered

From (Name) Sri A.Mahalingam Chetti, I.A.S., | To

Designation Collector of South Kanara Mangalore.

Station

The Secretary to Government, Home Department, Fort St. George, Madras.9

Enclosures: No. Ref.C.No.A2.12946.54 dated 21.5.54

Sir.

ASSISTANT SECRETARY TO GOVERNMENT
29 MAY 1954
HOME DEPARTMENT

C3 75622/295

PUBLIC SERVICES - Prosecuting Staff - A.P.P.Grade II Temporary appointment - Regularisation of - Report submitted-

Ref: 1.G.O.Ms.No.1669. Home Dept.dated 28.4.1951
2.G.O.Ms.No.3627. Home Dept.dated 14.9.51.
3.G.O.Rt.No.1274. Home Dept.dated 2.5.54.

There are at present the following two temporary A.P.Ps of Grade II working in this District.

1.Sri S.Gopalkrishna B.A.,B.L., A.P.P.II Kasaragod
2.Sri Narayana Shetty, Sowkoor, LL.B., A.P.P.II Puttur.

2.In this office Ref.C.No. C3. 2008-54.dated 29.1.51, the names of the above two Asst.Public Prosecutors who applied for the post of A.P.P.Grade II in response to the advertisement published in the "Hindu"Indian Express" and "Liberator"dated 4.1.1951, were submitted to the Government for appointment as A.P.P. II. In the G.O.cited Ist above, No.1 Sri S.Gopalakrishna was appointed as Asst.Public Prosecutor, II relaxing the age limit. In the G.O.cited 2nd above he was also exempted from undergoing the training for 4 months prescribed for A.P.Ps and he has been working continuously from 14.7.1950. He requests that his services may be regularised as he has been continuing as Temporary A.P.P without getting any increments all these years. His service Register is enclosed. I recommend that the Government may be pleased to regularise his services as A.P.P.Grade II with effect from 14.7.1950, from which date he was continuously on duty.

3.-In the G.O.cited, 3rd above, No.2 Sri Narayana Shetty, Sowkoor was appointed as Temporary A.P.P.II South Kanara District.Consequent on the selection of Sri P.C.Hegde, A.P.P.II Puttur as Judicial Sub Magistrate the vacancy has been temporarily filled up by appointing Sri Narayana Shetty Sowkoor who had acted several times previously as A.P.P.II in this District in the leave vacancies.

4.-His date of birth is 25.11.1919. He is a law graduate of the Bombay University who had four year's active practice in Criminal courts prior to his temporary appointment as A.P.P.II in 1951. His temporary service as A.P.P.II in this district is given below.

From	To	period. Y.M.D
8.4.51 A.N.	6.9.51.A.N.	0.4.29
15.3.52.F.N.	14.4.52 F.N.	0.1.0
31.5.52 A.N.	31.7.52 F.N.	0.2.0
1.11.52 F.N.	21.11.53 F.N.	1.0.12
21.11.53 F.N.	26.11.53 A.N.(Leave)	
1.11.53 F.N.	30.1.54	0.2.4
.54 F.N.	uptodate.	

He has been doing very satisfactory work.

D

5 In view of his past temporary service for over 2 years, as A.P.P II , the Government may be pleased to appoint Sri Narayana Shetty, Sowkoor as Asst.Public Prosecutor II in South Kanara District exempting him from undergoing the training prescribed for A.P.P.II. A fresh advertisement notifying the vacancy in 3 principal dailies inviting applications does not appear to be necessary as an experienced hand who had already applied for the post of Asst.Public Prosecutor II in response to the advertisement published in 1951 is available and it will also save the expenses of additional advertisement charges. Service Register of Sri Narayana Shetty Sowkoor is also enclosed for perusal.

Yours faithfully

For Collector.

Encls: 2 Service Registers.
mv 24.5.

Ub
25/5

G.O. Ms. No. 2991 dated 8.10.56.

1896/56/12

Public Service - Executive Staff South Kanara District - Sri. Narayana Shetty Sowkoor, A.S.P. Grade II Temporary Appointment - Regularised - Exempted from age limit and from undergoing training - Rule - Relaxed Sri. Gopalakrishna A.P.P. Grade II - Regular appointment - ~~Orders issued~~.

Read: 1. G.O. Ms. No. 1669 Home dt 28-4-57
G.O. Rt. No. 1274 Home dt 2-5-57
From the Collector of South Kanara
Ref C. No. A2. 12946/54 dt 21.5.56

ORDER.

Under the rule published under the Pub(Ser) Dept's Notification No 16 dated 26-1-50 at p 272 of Part I of the F.S.G.G. dated 7-2-1950, the Governor of Madras relaxes in favour of Sri. Narayana Shetty Sowkoor, temporary A.P.P. Grade II, South Kanara District

(i) rule 5 of the Spl. rules for the Madras General Subordinate Service, Class ~~xxx~~ and ~~in order to~~ exempts him from the age limit prescribed in that rule and

(ii) rule 7 of the above rules ~~for~~

17 E

order to exempt him from undergoing the training prescribed for A.S.Rs.

2. Sri. Narayana Shetty Sankaran is appointed to act as A.S.P. Grade on Rs 150-5-200 in the South Kanara District with effect from the date of this order.

3. Sri. S. Gopalakrishna A.S.P. Gr II should be deemed to have been appointed as A.S.P. Grade II regularly with effect from the date of the order of Govt MS no 1669 Home dated 28-4-1951 in which he was appointed as A.S.P. Gr II relaxing the rule 5 of the S/P Rules for the Madras General Subordinate Service class xxx, which governs the regular appointment of A.S.Rs. on regular basis.

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pp

22/5/54

24/5/54

20/9/54

To

The Collector of Malabar
via S.P. Nilgiris Kannur

The I.G. of Police, Madras
(Paras 1 & 2 only)

The Regr. High Ct. Madras "

The A.G. Madras (with C.C.)

The Secy. M.P.S.C. Madras
(Paras 1 & 2 only)

S/F
added
pp

(G. No. 75622/54.)

Public Services – Prosecuting staff – South Kanara Dt. – A.P.Ps Gr. II – Regularisation – Proposals –

From the Collr. of South Kanara No. A2/12946/54, dated 21.5.54.

The file deals with the proposals of the Collr. of South Kanara for the regularisation of the services of Sri S Gopalakrishna and Sri Narayana Shetty Soukoor, temporary A.P.Ps Gr. II in his district.

2. In G.o Ms 1669, Home, dated 28.4.51, Sri Gopalakrishna was appointed temporarily as A.P.P. Gr. II relaxing the age-limit in his favour. In G.O. Ms.No. 3627, Home, dated 14-9-51 he was also exempted from undergoing the training of four months prescribed for A.P.Ps Gr. II He has been working as temporary A.P.P. Gr. II Continuously from 14.7.50. The Collector reports that the A.P.P. had requested that his services may be regularised as he has been continuing as temporary A.P.P from 14.7.50 without getting any increment. The Collector recommends that the services of Sri Gopalakrishna may be regularised with effect from 14-7-50.

3. Sri Narayana Shetty Soukoor was first appointed as temporary A.P.P. Gr. II in South Kanara Dt. in G.O. Ms. No. 1274, Home, dated 2.5.51 He joined duty on 8.4.51 a.n. From then onwards he has been acting as A.P.P. Gr. II in leave vacancies. Now he has been appointed in the vacancy caused by the selection

selection of Sri P.C. Hegde, A.P.P. Gr. II, Puttur as Judicial Sub Magistrate. The Collector states that Sri Soukoor has been doing very satisfactory work and adds that in view of his past services of over two years and that as he was one of the applicants for the post in 1951, he may be appointed regularly, exempting him from undergoing the prescribed training.

4. Under Rule 5 of the Special Rules for the Madras General Subordinate Service Rules, class XXX, a candidate for appointment as A.P.P. Gr. II by direct recruitment should not have completed 32 years of age on the first day of August in the year in which the appointment is made and should be a member of the Bar and should have had not less than three years of active practice in Criminal Courts.

5. The qualifications, age etc. of the two A.P.Ps. are as given below:—

S.No.	Name.	Qualification.	Age on 1.8.54 Y. M. D.	Period of practice
1	Sri S. Gopalakrishna	B.A. B.L.	35-5-7	6 years
2	Sri Narayana Shetty Soukoor	L.L.B.	34-8-6	4 years

6. On 1.8.54 Sri Gopalakrishna will be 35 years, 5 months and 7 days old. The age-limit has already been relaxed in his favour in G.O. Ms. No. 1669, Home dated 28.4.51 when he was appointed to act as A.P.P. Gr. II. He has further been exempted from undergoing the prescribed period of training. Sri Gopalakrishna is therefore eligible for regular appointment to the post.

7. Sri Narayana Shetty Soukoor was within the age-limit when he was first appointed temporarily as A.P.P. Gr. II. On 18.5.54, however, he will be 34 years 8 months and 6 days old and will thus be over-aged. The age-limit, as also the requirement of training will have to be relaxed in his favour if he is to be appointed regularly.

8. The policy of the Govt has been to regularise temporary appointments of A.PPs only with effect from the date of order sanctioning such regularisation.

9. Under Rule 35(b) of the General Rules for the Madras State and Subordinate Rules Services Rules the appointing authority may, at the time of passing an order appointing two or more persons simultaneously to a service, fix the order of preference among them and where such order has been fixed, seniority shall be determined in accordance with it. The order of preference between the two A.P.Ps in this case may be as follows:

1. Sri. S. Gopalakrishna
2. Sri Narayana Shetty Soukoor.

10. Orders in the matter can issue only after the ban on regular appointments is removed. The examination of the proposals of the Collector can however be made now in consultation with the depts. of the Secretariat Concerned.

11. The points for orders in this case are :—

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(a) Whether the temporary appointments of

(1) Sri S. Gopalakrishna and

(2) Sri Narayana Shetty Sowkoor, A.P.Ps. Gr. II may be regularised with ~~the~~ effect from the date of the order, exempting No.(2) from ~~(i)~~ age-limit ~~(ii)~~ and training; and ~~(b)~~

(b) whether the order of preference between them may be as at A on p.3 ante

12. Public (Ser.) may see before circulation.

9/6/54 — 29/6/54 — 1/7/54 — Pub (Ser)

2 Sec F/54-7
1-7-54

Public (Services) Department.

The Home Department's note on pp.1-4 above may be perused. The proposals of Home are to regularise the temporary appointments of (1) Sri S. Gopalakrishna and (2) Narayana Shetty Sowkoor as A.P.Ps., Grade II by relaxing the rules relating to age limit and training in favour of No.(2) and to fix their relative seniority as shown at A on p.3 ante. Sri Gopalakrishna is now more than 35 years old. Moreover, he has not undergone the prescribed period of training. It is stated by Home that the rule relating to age limit was relaxed in favour of Sri Gopalakrishna in G.O.No. 1669, Home dated 28-4-51 and that he has been exempted from undergoing the prescribed period of training in G.O.No.3627, Home dated 19-9-51, and that he is therefore eligible for regular appointment to the post now. It is submitted that relaxation of rules already made was with a view to enable Sri Gopalakrishna to be appointed as A.P.P.II Grade only on a temporary basis. If he is

A ante p.2 ante
R ante p.19 of 2
(A)
J ante p.7 of 2
(B)

to be appointed regularly now, fresh relaxation of rules is necessary. As stated by Home, regularisation of the temporary appointments can be made only with effect from the date of order sanctioning such regularisation. As the regularisation proposed is after 15-3-53, orders in this case can be issued only after the ban on regular appointment is removed. Home will, no doubt, circulate the case to M(F & E) and send a copy of the relaxation order to the M.P.S.C.

With the above remarks, the file may be returned to Home.

ASSISTANT SECRETARY TO GOVERNMENT 10298 30 JUL 1954 HOME DEPARTMENT

(Ser) CNo 3554 27.7.54

Pub (Ser B) u.o. 2753/54 30.7.54.

Home (dS I)

The Collector of South Kanara has requested that Sri. S. Gopalakrishna and Sri. Narayana Shetty Sowkur, A.S.Bs working in his dt, may be appointed regularly with effect from the date of their first appointments

Sri. Gopalakrishna was appointed as A.S.O Grade II in South Kanara Dt in Go Ms No 1669 Home dated 28-4-1951 relaxing rule 5

pp 29.2

6

of the spl rules for the Madras ~~State and~~ General Subordinate Service, class I & II. in order to exempt him from the age limit prescribed in that rule the rule is referred to above prescribes qualifications for appointment of candidates as A. S. Ps under IV regularly whereas Rule 9 of the Spl. rules referred to above prescribes qualifications for appointment as A. S. Ps under II on temporary basis. As in the case of Sri. Gopalakrishna rule 5 of the Spl. rules relating to his age was relaxed he is deemed to have been appointed on regular basis with effect from the date of the ~~order~~ order (Vig) 28-4-1951. This can also be seen from para 4 of this Hence deletion of the order again in the form does not appear reasons. Dept note at P14 n/f. of (A) - X For orders whether the Collector may be informed accordingly

As regards Sri. Narayana Shetty Sowkoor he ~~was~~ has been continuing ~~temporary~~ A. S. P. Grade II having

CMO 75622/54

been appointed by the Collector. It has been proposed to relax rule 5 of the SPI. Rules referred to at p 6 ante relating to his age and also to exempt him from the prescribed period of training and to appoint regular with effect from the date of the order. Pub (Ser) agree but has stated that orders can issue only after the ban on regular appointment is removed. As the ban has since been lifted Sri. Narayana Shetty Swear may be appointed regularly with effect from the date of order. For orders.

Subject to orders
A draft order is submitted for approval.
22/8/54 It may issue after circulation to M(F&E).

24/8/54 Pub (Ser) may kindly refer to the orders in O^n at p.10 n.f. of the G.O. at (A) approving the proposal at 'A' p.9 n.f. of that G.O., viz that Sri. Gopalakrishnan shd be regularly appted as A.P.P. Kasaragod by the relaxation of the Age Rule. It may kindly be stated whether a further relaxation is necessary in the O^n

24/8/54 Pub (Sec)

ASSISTANT SECRETARY TO GOVERNMENT
3661
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CHIEF-SECRETARIAT

Utheswara 75622 54/Mis3
24/8/54

Public (Ser-B) Dept.

(Previous note of this Dept. on pp. 4-5 above)

The further note of the Home Dept. on pp. 5-7 above and the draft order below may be perused.

2. In the circumstances stated by the Home Dept, further relaxation of rules in respect of Sri Gopalakrishna does not seem necessary.

3. The file may be returned to Home.

20.9.54

16/9/54

Home

Pub(ser B) no. 3661/54-
21.9.54

Home (Ex I)

The Collector of South Kanara has recommended the regularisation of temporary appointments of (1) Sri S. Gopalakrishna and (2) Sri Narayana Shetty Sowkoor as A.P.Ps Grade II by relaxing the age limit and training in respect of No (2). In the note at pp 1-8 above, the proposals have been examined in detail.

It will be seen that Sri Gopalakrishna was, even in the first instance, appointed to act as A.P.P. Grade II on a regular basis in Ms no 1669 Home dated

pp 19-20 yg/f (A)

28.4-1951. There is therefore no need to issue a fresh order regularising his appointment. It is proposed to inform the collector accordingly. Pub (Ser) agree.

Sri. Narayana Shetty Sowkoor has been appointed by the collector as temporary A.P.P. Grade II. ~~He is the collector.~~ He joined duty on 8.4.54. He has by now put in two years of service in the post. It is proposed to appoint him regularly by relaxing the age rule and exempting him from undergoing training. Pub (Ser) agree.

A draft order is submitted for approval. It may issue after circulate to M(F&E)

27/9/54

28/9/54

27/9/54

K.S.

M(F&E) Krishnamurthy
1.10.84

Joined as Co No 2991 Home dated 8.X.54

SECRETARY TO GOVERNMENT
1-OCT 1954
HOME DEPARTMENT